

Response under 37 CFR 1.116 – Expedited Procedure

Serial No.: 09/918,379

Examiner: Tadesse Hailu

REMARKS/ARGUMENTS

Claims 1, 4-12, 15-23, and 26-33 remain in this application. Claims 2, 3, 13, 14, 24, and 25 have been canceled.


Independent claim 1 has been amended to incorporate the elements of claims 2 and 3. Similarly, claims 12 and 23 have been amended to incorporate the elements of claims 13, 14 and 24, 25, respectively.

Claims 3, 14 and 25 have been rejected as unpatentable over Jones et al (US Patent 5,961,591) in view of Pinsley et al (US Patent 6,189,029). The Examiner has equated the optional survey which Pinsley suggests may be administered occasionally at the end of a session with the test used in Applicant's invention that determines whether there is comprehension by the user and allows retrieval of a target page. It is strongly submitted that (a) a survey is not a test, (b) applicant discloses using the test before and as a condition to entry to the target page. In regard to the latter point, the limitations of claims 2, 13, and 24 emphasize that if the user fails the test, the user is returned back to the web page.

It is submitted that the references do not show using a test to assess comprehension as a prerequisite to retrieving a page; nor is there a suggestion in them of somehow combining them to provide this operation. Accordingly, it is submitted that the claims are patentable over the cited references, and it is requested that they be allowed. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

Respectfully submitted,

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Reg. No. 22,753Dated: 3/2/2005

135835

Page 7

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135835
Page 8